

Entered - 03/16/00 - sb  
CL0010155 - DIANNE C. MITCHELL

CLAIM OF: WILLIE M. TURNER,

through his attorney,

Clark H. McGehee

2100 The Equitable Building  
100 Peachtree Street, NW  
Atlanta, Georgia 30303-1912

For damages alleged to have been sustained  
as a result of a vehicular accident on  
November 21, 1999 at Hapeville and Waters  
Road, SW.  
**CONSENT AGENDA**

THIS ADVERSED REPORT IS  
APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

# ADVERSE REPORT

cc: Public Safety

8/1/2000

C. T. M. [Signature]

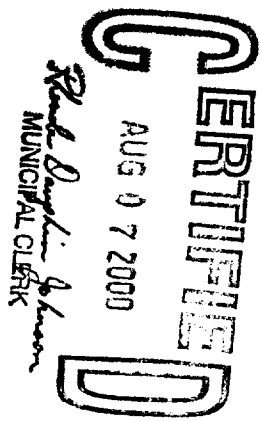
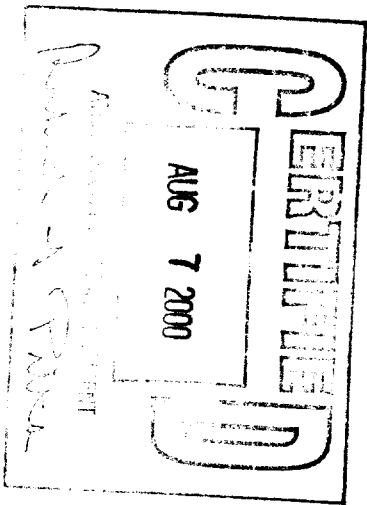
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ADVERSED  
CITY CLERK AUG 07 2000



August 29, 2000

Clark H. McGehee  
Attorney at Law  
2100 The Equitable Building  
100 Peachtree Street, NW  
Atlanta, GA 30303-1912

00-R-1173

RE: Willie M. Turner

Dear Attorney McGehee:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on August 07, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0155

Date: July 7, 2000

Claimant /Victim WILLIE M. TURNER  
BY: (Atty) Charles H. McGehee  
Address: 2100 The Equitable Building, 100 Peachtree Street, Atlanta, Georgia 30303-1912  
Subrogation: Claim for Property damage \$ Bodily Injury \$ 50,000.00  
Date of Notice: 03/15/00 Method: Written, proper X Improper         
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 11/21/99 Place: Hapeville and Waters Road, SW  
Department Public Works Division: Waste Water Services  
Employee involved Willie H. Copeland Disciplinary Action:       

NATURE OF CLAIM: While towing a track hoe on a City trailer, the security chain on the trailer hitch broke causing the trailer to strike the claimant's vehicle and a private fence. The claimant incurred vehicular damage and personal injuries. The claimant's attorney has advised that they have filed a lawsuit in the State Court of Fulton County to resolve the issues raised in this claim.

### INVESTIGATION:

Statements: City employee        Claimant        Others        Written        Oral         
Pictures        Diagrams        Reports: Police X Dept Report X Other         
Traffic citations issued: City Driver X Claimant Driver         
Citation disposition: City Driver        Claimant Driver       

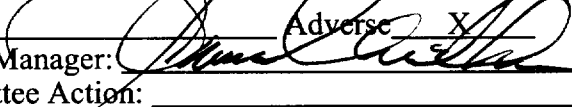
### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial         
Improper Notice        More than Six Months        Other X Damages reasonable         
City not involved        Offer rejected        Compromise settlement         
Repair/replacement by Ins. Co.        Repair/replacement by City Forces         
Claimant Negligent        City Negligent X Joint        Claim Abandoned       

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

### RECOMMENDATION:

Pay \$        Adverse X Account charged: 1A01        2J01        2H01         
Claims Manager:  Concur/date 070700  
Committee Action:        Council Action

OFFICES  
MELINDA S. HOLLOWAY, P.C.  
AVENUE

P.O. BOX 490

MELINDA S. HOLLOWAY

JONESBORO, GEORGIA 30237-0490

*Mitchell*  
03/16/00

(770) 603-1673  
FAX (770) 603-3107

March 15, 2000

ENTERED - 3-16-00 - SB  
00L0155 - DIANNE MITCHELL

VIA FACSIMILE: (404) 658-7087CERTIFIED MAIL: 7099 3400 0717

City Attorney's Office  
Attn: Claims Division  
68 Mitchell Street, S.W.  
Suite 4100  
Atlanta, Georgia 30335-0332

RE: Your Insured: Dept. of Public Works, Atlanta  
Insured Driver: Willie Copeland  
Vehicle No.: 1932  
Date of Loss: November 1999  
Our Client: Willie Copeland

Dear Sir/Madam:


Please be advised that this firm represents the above referenced individual with reference to his personal injury claim against the City of Atlanta, Georgia, Department of Public Works, Atlanta and Willie Copeland.

Please advise me as to the limits of coverage under all policies which may provide coverage for the above referenced claim. Please advise me in all future communications regarding this matter to me at the above post office address and telephone number.

We have enclosed a copy of the policies for your convenience.

Thank you for your cooperation and assistance in this matter.

Very truly yours,

  
Linda R. Allen

Paralegal to  
MELINDA S. HOLLOWAY

00- *R* -1173

LRA:dim  
Enclosure